

IN THE MATTER OF CHEVRON PIPELINE COMPANY (CPL) SALT LAKE CITY, UTAH	DOCKET NUMBER NOV I13-03 STIPULATED COMPLIANCE ORDER
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This Stipulated Compliance Order (SCO) is between Chevron Pipe Line Company (CPL) and the Utah Department of Environmental Quality Division of Water Quality (DWQ). The DWQ intends to formally close out Notice of Violation (NOV) I13-03 which was issued to CPL on April 11, 2013, in response to CPL's March 18, 2013, release (the Release) of diesel fuel at and near Willard Bay and Willard Bay State Park. This SCO is subject to the Post Closure Requirements identified below.

The Utah Water Quality Board, acting through the DWQ Director (Director) entered a joint Settlement Agreement dated December 13, 2013, that included payments for damages and penalties and a release of claims, but did not release CPL from ongoing obligations to clean up the spill. CPL's obligations in this SCO are intended to be consistent with the December 13, 2013, Settlement Agreement.

A. Ongoing Post Closure Requirements

1. CPL will remove the remaining ground water monitoring wells MW-4 and MW-6. Removal of these wells will be undertaken in a similar manner as CPL employed when removing other monitoring wells: including removal of the well structure, installation of a bentonite plug from the bottom to within 6-12 inches of the ground surface, and installing a final layer of native soils above the well. The locations will be restored to as close to a pre-spill condition as possible, to the satisfaction of Willard Bay State Park. Abandonment activities will be coordinated with Utah Parks. Removal of MW-4 and MW-6 shall take place within 90 days of the date this SCO is executed and, upon completion of the removal, CPL will notify the Director in writing, documenting the abandonment procedures used.
2. CPL will continue to meet the reimbursement requirements of condition 9.iii. of the December 13, 2013, Settlement Agreement.
3. CPL will complete the mitigation funding required by Conditions 5 and 6 of the December 13, 2013, Settlement Agreement.
4. DWQ will retain jurisdiction and CPL will continue to respond at DWQ's direction to new observations or complaints regarding potential remaining spill contamination in Willard Bay and Willard Bay State Park. If any remaining spill contamination is discovered which is

CPL POST CLOSURE REQUIREMENTS

Stipulated Compliance Order Docket NOV I13-03

associated with the aforementioned March 18, 2013, CPL release of diesel, CPL will obtain DWQ's approval to address the potential remaining spill contamination unless CPL can show that the contamination was not caused by said Release. DWQ will require comprehensive reporting for any of the identified remaining spill contamination. In the event CPL is required to initiate additional cleanup, a written report detailing those cleanup efforts is to be provided by CPL to DWQ.

NOW THEREFORE, CPL STIPULATES THAT:

1. CPL shall comply with the Ongoing Post Closure Requirements identified herein (Post Closure Requirements).
2. Nothing in this SCO shall constitute or be construed as a waiver by the DWQ to initiate enforcement action, including the imposition of civil penalties, against CPL in the event of noncompliance with this SCO and any obligations arising under this SCO, or future violations of the Utah Water Quality Act or rules. Nor shall the DWQ be precluded in any way from taking appropriate action to abate an endangerment to public health or the environment should such a situation arise. Additionally, nothing in this SCO shall be considered as a modification to the December 13, 2013, Settlement Agreement referenced above. This SCO shall not in any way relieve CPL of any obligation to comply with all applicable local, state or federal laws or regulations.
3. CPL shall supply the DWQ all requested information in order to assure compliance with this SCO.
4. If there is a dispute between the parties under any provision of this SCO, either party may commence a proceeding under section 19-1-301 of the Utah Code Annotated to resolve the dispute.
5. CPL shall perform the requirements of this SCO within the time frames set forth in the Post Closure Requirements above, unless CPL requests and obtains an extension of time from the Director in advance of the deadline for the completion of any Post Closure Requirement.
6. The undersigned CPL representative certifies that s/he is fully authorized to enter into the terms and conditions of this SCO and to bind CPL to the terms of this SCO.
7. This SCO shall be effective the day upon which it has been fully executed, by both CPL and DWQ, subject to public comment.
8. When written notice is required to be given or a report or other document is required to be sent by one party to another, it shall be directed to the individuals at the addresses set forth below, unless those individuals or their successors give notice of a change to the other party, in writing.
9. DWQ will put this SCO out for a 30 day public comment period.

CPL:

Chevron Pipe Line Company
4800 Fournace Place
Bellaire, TX 77401
Attn: Vice President, Mid-Continent Asset

With a copy to:
Joel A. Youngblood
Chevron Pipeline Company
Supervising Counsel
Gas and Midstream Negotiations & Legal
4800 Fournace Place, W741
Bellaire, TX 77401

Steven G. Jones
Holland & Hart LLP
222 South Main, Suite 2200
Salt Lake City, UT 84101

DWQ:

Walter L. Baker, Director
Utah Division of Water Quality
P.O. Box 144870
Salt Lake City, UT 84114-4870

With a copy to:

Melissa M. Hubbell
Assistant Attorney General
P.O. Box 140873
Salt Lake City, UT 84114-0873

Parks:

Fred Hayes, Director
Utah Division of Parks and Recreation
1594 West North Temple
Salt Lake City, UT 84116

With a copy to:

Heather Shilton
Assistant Attorney General
Utah Division of Parks and Recreation
1594 West North Temple
Salt Lake City, UT 84116

IT IS SO AGREED.

Chevron Pipeline Company

Terry P. Duhon
Vice President, Chevron Pipeline Company

Date: _____

IT IS SO ORDERED AND AGREED.

Walter L. Baker, P.E., Director
Utah Division of Water Quality

Date: _____